

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Ikaika Anderson, Chair; Breene Harimoto, Vice-Chair;
Ann H. Kobayashi, Ron Menor, Kymberly Marcos Pine

Committee Meeting Held
November 21, 2013

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, to which was referred
Resolution 13-230 entitled:

**"RESOLUTION URGING THE DEPARTMENT OF PLANNING AND
PERMITTING TO EXAMINE AND REPORT ON ESTABLISHING A
SLIP-RESISTANT SURFACE REQUIREMENT FOR PUBLIC AND
RESIDENTIAL SWIMMING POOLS,"**

introduced on September 19, 2013, reports as follows:

The purpose of Resolution 13-230 is to urge the Department of Planning and
Permitting (DPP) to examine a building code amendment that would require
slip-resistant surfaces for public and residential swimming pools.

At your Committee's meeting on November 21, 2013, the Deputy Director of
Planning and Permitting expressed concerns that the requirement may require
retrofitting private and public swimming pools and that abrasive surfaces in swimming
pools may cause injuries and promote algae growth.

Your Committee received testimony from two members of the public in support of
the resolution.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON DEC 11 2013

COMMITTEE REPORT NO. 375

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

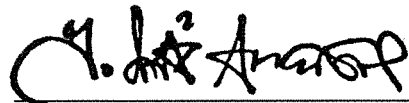
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Page 2

Your Committee Chair acknowledged the concerns expressed by the DPP but expressed his desire to move the resolution forward so that the proposal can be studied.

Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 13-230, and recommends its adoption. (Ayes: Anderson, Harimoto, Kobayashi, Pine – 4; Noes: None; Excused: Menor - 1.)

Respectfully submitted,



Committee Chair

At the 12/11/13 Council meeting, the Resolution was amended and subsequently adopted in the form attached hereto as Resolution 13-230, FD1.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON DEC 11 2013

COMMITTEE REPORT NO. 375



RESOLUTION

URGING THE DEPARTMENT OF PLANNING AND PERMITTING TO EXAMINE AND REPORT ON ESTABLISHING A SLIP-RESISTANT SURFACE REQUIREMENT FOR PUBLIC AND RESIDENTIAL SWIMMING POOLS.

WHEREAS, Ordinance 12-34, approved on October 18, 2012, amended the building code by adopting the 2006 editions of the International Building Code (IBC), International Residential Code (IRC), and by reference, the 2006 International Existing Building Code, with various amendments for local conditions for the purpose of updating the building code; and

WHEREAS, Departmental Communication No. 186 from the Department of Planning and Permitting, dated March 23, 2012, which transmitted the proposed bill to amend the building code, indicated that Chapter 16, Article 7 ("Public Swimming Pools") of the Revised Ordinances of Honolulu 1990 (ROH), is amended by using national standards for public swimming pools; and

WHEREAS, however, ROH Section 16-7.3 ("Construction details") states, "Public swimming pools are under the purview of the State Department of Health, Hawaii Administrative Rules (HAR), Title 11, Chapter 10"; and

WHEREAS, HAR Title 11, Chapter 10, defines "public swimming pool" as any swimming pool, other than a private residential swimming pool, which is intended to be used collectively by a number of persons for swimming or bathing regardless of whether a fee is charged for the use; and

WHEREAS, swimming pools covered by the administrative rules include municipal, institutional, hotel, apartment, condominiums, and pools of similar type usage; and

WHEREAS, HAR Title 11, Chapter 10, requires the floors of public swimming pool bathhouses to be free of joints or openings and to be continuous throughout the area with a "slip-resistant surface," but does not require slip-resistance surfaces within public swimming pools; and

WHEREAS, prior to the approval of Ordinance 12-34, ROH Section 16-7.3 (a) (2), stated, in part: "The surfaces within the pool intended to provide footing for bathers shall be designed to provide a slip-resistant surface"; and

WHEREAS, swimming pools are centers for play and relaxation, and pool tiles provide for the safety of pool users by providing slip-resistant surfaces; and



RESOLUTION

WHEREAS, swimming pool safety should not be taken lightly, and a slip-resistant surface within the pool provides users with peace of mind and mitigates slipping and drowning hazards, especially with respect to senior citizens and small children; and

WHEREAS, ROH Section 16-6.1 declares that the maintenance of residential swimming pools and other similar pools without precautionary measures constitutes a serious public hazard, particularly to children, however, there are no provisions in Article 6 of ROH Chapter 16 either providing that the State Department of Health have oversight for residential swimming pools or addressing residential swimming pool slip-resistant surface requirements; and

WHEREAS, it is timely that the Council request an examination of building code requirements related to slip-resistant surfaces within public and residential swimming pools; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Department of Planning and Permitting is urged to examine and report on establishing a slip-resistant surface requirement for public and residential swimming pools; and

BE IT FURTHER RESOLVED that the report include an explanation of the State Department of Health rules that require a slip-resistant surface for public swimming pool bathhouse floors and not for public swimming pool floors; and

BE IT FURTHER RESOLVED that the report address the feasibility of:

- Developing a uniform standard for slip-resistant surfaces for both public and residential swimming pools; and
- Requiring residential pool owners to install slip-resistant surfaces for all new swimming pools, as well as for existing swimming pools, but only when the existing pool is repaired or otherwise improved;

and

BE IT FURTHER RESOLVED that the Department of Planning and Permitting submit its findings and recommendations to the Council in a report within 90 days of the adoption of this Resolution; and



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 13-230, FD1

RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Director of Planning and Permitting, and the State Department of Health.

INTRODUCED BY:

Ann Kobayashi (BR)

DATE OF INTRODUCTION:

September 19, 2013
Honolulu, Hawaii

Councilmembers